

Applicants note that the Office Action is relying on the entirety of Eguchi rather than only the abstract. The Office Action is relying on the figures of Eguchi. Furthermore, the abstract of Eguchi is substantially shorter than the language of claim 1 and thus could not possibly disclose each feature of claim 1.

Because the Office Action is relying on the entirety of JP Eguchi, Applicants respectfully request that the Patent Office provide an English translation of Eguchi in accordance with MPEP § 706.02, paragraph II. For the convenience of the Patent Office, Applicants attach an English translation of paragraph [0008] of Eguchi, which is discussed below.

As discussed during the personal interview, Eguchi does not disclose, teach, or even suggest an exhaust emission control system wherein "each of the first and second NO_x catalysts stores NO_x contained in the exhaust gas when an air/fuel ratio of the exhaust gas flowing into said each NO_x catalyst is lean," as recited in claim 1. Eguchi discloses NO_x catalyst 19a which is arranged in an exhaust bypass 16 (Abstract; Figs. 1 and 3). In paragraph [0008], Eguchi discloses that the exhaust gas flows into a NO_x catalyst 19a area 19 where the NO_x in the exhaust gas is reduced to N₂. Thus, the NO_x catalyst in Eguchi immediately converts the NO_x into N₂ without storing the NO_x in area 19. Accordingly, Eguchi cannot reasonably be considered to disclose, teach, or even suggest an NO_x catalyst that stores the NO_x contained in the exhaust gas, as recited in claim 1.


Because Eguchi does not disclose, teach, or even suggest an exhaust emission control system wherein "each of the first and second NO_x catalysts stores NO_x contained in the exhaust gas when an air/fuel ratio of the exhaust gas flowing into said each NO_x catalyst is lean," Applicants respectfully submit that claim 1 is patentable over Eguchi. Accordingly, Applicants respectfully request withdrawal of the rejection.

During the personal interview, Examiner Tran alleged that JP 2004-28030 to Motohiro (hereinafter "Motohiro") might disclose all or part of the features of claim 1. However, Applicants respectfully assert that Motohiro is not effective as prior art under 35 U.S.C. §§ 102 or 103, and thus cannot be used to reject any of claims 1-28. Motohiro is a published Japanese Patent Application that was published on January 29, 2004. The present Application was filed on July 7, 2003. Although, the filing date of Motohiro is prior to Applicants filing date, the foreign filing date is irrelevant under 35 U.S.C. § 102. Under 35 U.S.C. §102, the invention must have been patented or published in a foreign country to qualify as prior art. Thus, Motohiro is not effective as prior art with respect to the present Application since its effective prior art date is its publication date, i.e., January 29, 2004.

In view of at least the foregoing, Applicants respectfully submit that this application is in condition for allowance. Applicants earnestly solicit favorable reconsideration and prompt allowance of claims 1-28.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, Applicants invite the Examiner to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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